

**Meeting Minutes**  
**Meeting of July 22, 2009**

A meeting of the Connecticut Siting Council (energy/telecommunications) was held on Wednesday, July 22, 2009, at 10:00 a.m. in Room 3130000 (3<sup>rd</sup> floor), at Central Connecticut State University, Institute of Technology and Business Development, 185 Main Street, New Britain, Connecticut.

**Council Members Present:**

Judge Daniel F. Caruso  
Chairman

Brian Golembiewski  
(designee for Acting Commissioner Marrella)

Wayne V. Estey  
(designee for Commissioner DelGobbo)

Philip T. Ashton  
Edward S. Wilensky

Colin C. Tait

Vice Chairman

Barbara Currier Bell

Daniel P. Lynch, Jr.

James Murphy

**Staff Members Present:**

S. Derek Phelps  
Executive Director

Melanie Bachman  
Staff Attorney

Fred O. Cunliffe  
Supervising Siting Analyst

Christina Walsh  
Siting Analyst

Robert D. Mercier

Siting Analyst

David Martin

Siting Analyst

Michael Perrone

Siting Analyst

**Recording Secretary:**

Jessica Brito

**DOCKET NO. 225B - Kleen Energy Systems, LLC Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a Electric Generating Facility and Switchyard on River Road, Middletown, Connecticut. Reopening of this docket pursuant to Connecticut General Statutes § 4-181a for the limited purpose of determining if changed conditions related to a revised route for the oil pipeline justify a modification of the Decision and Order. Draft Findings of Fact, Opinion, and Decision and Order.**

Mr. Ashton moved to approve the Draft Findings of Fact, Opinion, and Decision and Order; seconded by Dr. Bell. The motion passed with Mr. Estey abstaining.

Chairman Caruso requested a written vote on the record with Mr. Murphy, Mr. Wilensky, Mr. Golembiewski, Mr. Ashton, Mr. Lynch, Dr. Bell, Mr. Tait and Chairman Caruso in favor of modifying

the Decision and Order; and Mr. Estey abstaining. The Decision and Order was approved with the following two conditions:

- Conduct a turtle sweep prior to construction on each day; and,
- Retain an environmental inspector to monitor horizontal directional drilling procedures during pipeline installation in the open space area.

**DOCKET NO. 380 - Bay Communications, LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a wireless telecommunications facility at 47 Garrett Ridge Drive, New Hartford, Connecticut. Draft Findings of Fact, Opinion, and Decision and Order.**

Mr. Murphy moved to remove this item from the table; seconded by Dr. Bell. The motion passed with Mr. Lynch and Mr. Estey abstaining.

Mr. Ashton moved to approve the draft findings of fact, Opinion and Decision and Order, as amended; seconded by Mr. Murphy. The motion passed with Mr. Lynch and Mr. Estey abstaining.

Chairman Caruso requested a written vote on the record with Mr. Murphy, Mr. Wilensky, Mr. Golembiewski, Mr. Ashton, Dr. Bell, Mr. Tait and Chairman Caruso in favor of granting a certificate for the proposed telecommunications facility; and Mr. Lynch and Mr. Estey abstaining.

**DOCKET NO. 381 - New Cingular Wireless PCS, LLC (AT&T) application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 27 Gungy Road/ 322 Beaver Brook Road, Lyme, Connecticut. Completeness Review, Schedule, Custodian of the Docket, Deposition of the Transcript, Request for Party/Intervenor Status. Motion for Protective Order.**

Mr. Murphy moved to approve removing this item from the table; seconded by Mr. Ashton. The motion passed unanimously.

Mr. Ashton moved to approve the Motion for a Protective Order related to the disclosure of monthly rent contained within the lease agreement consistent with the Conclusions of Law adopted in Docket 366-Danbury, dated April 23, 2009; seconded by Mr. Murphy. The motion passed with Dr. Bell voting no.

Mr. Ashton moved to approve the application as complete, the schedule for processing the docket as per staff recommendations, the appointment of Jessica Brito as custodian of the docket, the deposition of the transcript in the Towns of Lyme and East Lyme, and a public field review and hearing in Lyme on Thursday, October 15, 2009; seconded by Dr. Bell. The motion passed unanimously.

**PETITION NO. 908 - Youghioghny Communications-Northeast, LLC d/b/a Pocket Communications petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed modifications to an existing telecommunications facility located at 389 Forbes Avenue, New Haven, Connecticut. Decision.**

Mr. Ashton moved to remove this item from the table; seconded by Mr. Murphy. The motion passed unanimously.

Mr. Murphy moved to approve this petition, seconded by Mr. Ashton. The motion passed unanimously.

**PETITION NO. 909 - Cellco Partnership d/b/a Verizon Wireless petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the extension of an existing telecommunications facility located at 138 Main Street, Coventry, Connecticut. Decision.**

Mr. Ashton moved to remove this item from the table; seconded by Dr. Bell. The motion passed unanimously.

Mr. Murphy moved to approve this petition, seconded by Mr. Ashton. The motion passed unanimously.

Mr. Phelps offered to check on the status of the existing lattice tower and report back to the Council at a future meeting.

**Administrative Matters.**

Mr. Phelps discussed the evidentiary hearing dates scheduled for Docket 370 in July, as well as the anticipated procedure.

**Adjournment.**

Mr. Ashton moved to adjourn the meeting at 10:41 a.m.; seconded by Dr. Bell. The motion passed unanimously.

**Respectfully submitted,**

**Daniel F. Caruso  
Chairman**

DFC/jb